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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,825	03/13/2001	Kimihito Yamasaki	55698(904)	2050
21874	7590	05/04/2005	EXAMINER	
EDWARDS & ANGELL, LLP P.O. BOX 55874 BOSTON, MA 02205			COLLINS, SCOTT M	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/804,825	<b>Applicant(s)</b> YAMASAKI ET AL.	
	<b>Examiner</b> Scott M. Collins	<b>Art Unit</b> 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10,33 and 34 is/are pending in the application.  
4a) Of the above claim(s) 11-32 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-10,33 and 34 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01/27/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-10, 33-34 examined.
2. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment on 01/27/2005 and Information Disclosure on 01/27/2005 and 02/23/2005 (corrected).

#### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 01/27/2005 was filed after the mailing date of the non-final action on 10/27/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner. Applicant subsequently filed a corrected IDS on 02/23/2005, but the date that was first submitted as the publication date of the foreign patent application and then corrected appears to be correct as originally submitted. Accordingly, the Examiner has signed the initial 1449 document and seeks understanding for the date correction.

#### ***Response to Arguments***

4. Applicant's arguments filed 01/27/2005 have been fully considered but they are not persuasive. Applicant's arguments can be summarily stated as arguing that the nature and purpose of the Karim reference is different than Applicant's invention. However, the Karim reference does indeed read on the invention as claimed – whether or not the inventions are in the same exact context. Both inventions are in the broad context of computer networking and the level of detail included in the claims is met by the Karim reference. Specifically, Applicant argues that Karim has not taught sending device information to a managing device via e-mail when Karim clearly teaches this in figures 3-5; column 3, lines 38-39; column 4, line 48 –

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column 5, line 3; and column 5, line 50 – column 6, line 25. Applicant refers to encryption, but this term does not appear in the claims. When applicant refers to compression and a dedicated programs, these limitations are only found in the newly added claims and have been addressed hereinbelow.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-10, and 33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Karim, U.S. Patent Number 6,654,892 (herein referred to as Karim).

7. Referring to claims 1 and 8-10, Karim has taught an information communication device notifying a managing device of device information (which the managing device uses to perform remote management) about a management target device by electric mail (which is caused by the target device), said information communication device comprising a transmission processing section that converts the device information into attached data, and transmits an electric mail containing the attached data to said managing device (Karim figures 3-5; column 3, lines 38-39; column 4, line 48 – column 5, line 3; and column 5, line 50 – column 6, line 25 where a managed device updates status to a managing device.).

8. Referring to claims 2 and 3, Karim has taught the information communication device wherein said transmission processing section is set so as to convert a part the device information

into mail data in an electric mail format, while to convert the other part of the device information into attached data, and to transmit an electric mail containing the attached data and the mail data to said managing device (Karim column 5, lines 1-3; and column 5, line 50 – column 6, line 25).

9. Referring to claim 4, Karim has taught the information communication device wherein said transmission processing section is set so as to convert use information indicative of a state of use said management target device into attached data (Karim column 7, lines 31-58).

10. Referring to claim 5, Karim has taught the information communication device wherein said transmission processing section is set so as to transmit device information about a plurality of management target devices located in a predetermined area by a same electric mail (Karim column 11, lines 19-65 discusses multiple devices).

11. Referring to claim 6, Karim has taught the information communication device wherein said transmission processing section is set so as to send the electric mail transmitted to the manager, also to another destination according request by a user (Karim column 3, lines 55-68).

12. Referring to claim 7, Karim has taught the information communication device wherein said transmission processing section includes an encoding section for encoding attached data, and is set so as to have the encoded attached data in an electric mail (Karim column 4, lines 48-67; and column 6, lines 32-48).

13. Referring to claim 33, Karim has taught the information communication device wherein said attached data is produced by a dedicated program, whereby said attached data is readable only by said dedicated program (Karim figures 3-5; column 3, lines 38-39; column 4, line 48 – column 5, line 3; and column 5, line 50 – column 6, line 25).

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14. Referring to claim 34, Karim has taught the information communication device wherein said attached data is compressed at a higher compression rate than that of said mail date (Karim column 5, lines 1-3; and column 5, line 50 – column 6, line 25).

***Conclusion***

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Collins whose telephone number is 571.272.3934. The examiner can normally be reached on Mon.-Fri. 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571.272.6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smc  
April 21, 2005



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